

**CHARTER AMENDMENT RESOLUTION NO. 145**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY CONTAINED IN ARTICLE 11-E OF THE CONSTITUTION OF THE STATE OF MARYLAND AND SECTION 4-304 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND ENTITLED "A RESOLUTION TO REPEAL SECTION 75 OF THE CHARTER OF THE CITY OF CUMBERLAND, MARYLAND (1991 EDITION) PERTAINING TO CARRYING CONCEALED WEAPONS."

WHEREAS, the prohibition against carrying concealed weapons is set forth in state law (Section 4-101 of the Criminal Law Article of the Annotated Code of Maryland, as amended from time to time); and

WHEREAS, the prohibitions and penalties provided for in Section 75 of the Charter are preempted by the aforesaid state law and should be removed from the Charter.

NOW THEREFORE:

SECTION 1: BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, that Section 75 of the Charter of the City of Cumberland (1991 Edition) be, and the same hereby is, repealed.

SECTION 2: AND BE IT FURTHER RESOLVED, that the date of the passage of this Resolution is 3/5, 2019, and the amendment of the Charter of the City of Cumberland hereby enacted shall become effective on 4/24, 2019, unless a proper petition for a referendum hereon shall be filed as provided by Section 4-304 of the Local Government Article of the Annotated Code of Maryland. A complete and exact copy of this Resolution shall be continuously posted on the North Centre Street entrance of City Hall, Cumberland, Maryland, until 4/16, 2019, and the title of this Resolution shall be published in a newspaper of general circulation in the City of Cumberland no less than four times, at weekly intervals, before the aforesaid date.

SECTION 3: AND BE IT FURTHER RESOLVED, that the Mayor and City Council of Cumberland is hereby specifically directed to carry out the provisions of Section 2 hereof regarding the giving of notice by posting and publication of this

Resolution, approving the same, and, as evidence of said compliance, the City Clerk shall cause to be affixed to this Resolution a certificate of the publication in the newspaper in which the summary of this Resolution (i.e., its title) shall have been published, and the Mayor, if there is no petition for referendum, shall declare the Charter Amendment made to be effective on the effective date herein provided for, which is 4/24, 2019, by affixing his signature hereto in the space provided below the effective date hereof.

SECTION 4: AND BE IT FURTHER RESOLVED, that if a proper petition for referendum on the Charter Amendment herein proposed is filed, the Mayor and other proper officials of the City of Cumberland shall comply with applicable law, including, but not limited to, Subtitle 3 of Title 4 of the aforesaid Local Government Article.

SECTION 5: AND BE IT FURTHER RESOLVED, that as soon as the Charter Amendment shall become effective, either as herein provided or following a referendum, the Mayor shall send separately, by registered mail, to the Secretary of the State of Maryland, the Maryland State Department of Assessments and Taxation and the Department of Legislative Reference of Maryland, a complete certified copy of the text of this Resolution, the date of the referendum, if any is held, a certificate showing the number of Councilpersons voting for and against it, and a report on the votes cast for or against the amendments hereby enacted at any referendum hereon, and the effective date of the Charter Amendment.

THIS RESOLUTION PASSED THIS 5th DAY OF March, 2019.

  
Raymond M. Morriss, Mayor

ATTEST:

  
Marjorie A. Woodring, City Clerk

The Charter Amendment enacted by the foregoing Resolution became effective this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Raymond M. Morriss, Mayor

ATTEST:

\_\_\_\_\_  
Marjorie A. Woodring, City Clerk

I HEREBY CERTIFY, that the foregoing Resolution, amending the Charter of the City of Cumberland, Maryland, was passed the \_\_\_\_ day of \_\_\_\_\_, 2019, with \_\_\_\_ votes in affirmation and \_\_\_\_ votes in the negative.

\_\_\_\_\_  
Marjorie A. Woodring, City Clerk

I HEREBY CERTIFY, that the foregoing is a true and exact copy of the Charter Amendment Resolution No. \_\_\_\_\_ passed by the Mayor and City Council of Cumberland, Maryland, in Regular Session on the \_\_\_\_ day of \_\_\_\_\_, 2019.

I FURTHER CERTIFY, that there was no petition for a referendum on the proposed amendment filed within the required time, and therefore, the same became effective on the \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Marjorie A. Woodring, City Clerk